



Entered on Docket
March 12, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

**ORDER DENYING MOTION TO
QUASH SUBPOENAS AND STRIKE
2004 EXAMINATION ORDERS OR IN
THE ALTERNATIVE FOR
PROTECTIVE ORDER REGARDING
USA INVESTMENT PARTNERS, LLC,
HMA SALES, LLC, USA INVESTORS
VI, LLC AND JOSEPH D.
MILANOWSKI**

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC

Date: January 17, 2007
Time: 9:30 a.m.

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On January 17, 2007, the Court conducted a hearing on the *Motion to Quash Subpoenas and Strike 2004 Examination Orders or in the Alternative for Protective Order Regarding USA Investments Partners, LLC, HMA Sales, LLC, USA Investors VI, LLC and Joseph D. Milanowski* (the "Motion") filed December 14, 2006, by USA Investors VI, LLC and Joseph D. Milanowski (docket no. 2107). Appearances of counsel were noted on the record at the hearing.

Having considered the Motion, the opposition to the Motion filed on January 9, 2007 by the Debtors (docket no. 2386), and the arguments of counsel, the Court made its findings and conclusions on the record at the conclusion of the hearing, and it is hereby

ORDERED that the Motion is denied.

Submitted by:
RAY QUINNEY & NEBEKER P.C. and
SCHWARTZER & MCPHERSON LAW FIRM

Approved / Disapproved by:
OFFICE OF THE U.S. TRUSTEE

By: /s/ Jeanette E. McPherson
LENARD E. SCHWARTZER, ESQ.
JEANETTE E. MCPHERSON, ESQ.
Attorneys for Debtor and Debtor-In-Possession

By: _____
AUGUST B. LANDIS, ESQ.

Approved/Disapproved by:
LEWIS AND ROCA, LLP

Approved/Disapproved by:
GORDON & SILVER, LTD.

By: /s/ Rob Charles
ROB CHARLES, ESQ.
Counsel for the Official Committee of
Unsecured Creditors of USA Commercial
Mortgage Company

By: _____
GREGORY E. GARMAN, ESQ.
*Counsel for the Official Committee of
Holders of Executory Contract Rights of
USA Commercial Mortgage Company*

Approved/Disapproved by:
ORRICK, HERRINGTON & SUTCLIFFE LLP
and BECKLEY SINGLETON, CHTD.

Approved/Disapproved by:
STUTMAN TREISTER & GLATT, P.C. and
SHEA & CARLYON, LTD.

By: /s/ Anne M. Loraditch
MARC A. LEVINSON, ESQ.
ANNE M. LORADITCH, ESQ.
*Counsel for the Official Committee of Equity
Security Holders of USA Capital Diversified
Trust Deed Fund, LLC*

By: _____
EVE KARASIK, ESQ.
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*Counsel for the Official Committee of
Equity Security Holders of USA Capital
First Trust Deed Fund LLC*

Approved/Disapproved
WOODBURY & KESSLER

By: /s/ Russell Walker
RUSSELL WALKER, ESQ.
Counsel for USA Investment Partners, LLC

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1 In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

2 ____ The court has waived the requirement of approval under LR 9021.

3 ____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
5 unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each
6 has approved or disapproved the order, or failed to respond, as indicated below [list each party and
whether the party has approved, disapproved, or failed to respond to the document]:

7 ***Failed to respond: Office of the U.S. Trustee, Gordon & Silver, Ltd., Stutman Treister & Glatt***
8 ***and Shea & Carlyon, Ltd.***

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